

The Commonwealth of Virginia Department of Environmental Quality Civil Enforcement Manual

INTRODUCTION

This Civil Enforcement Manual (Manual) provides guidance to the staff of the Virginia Department of Environmental Quality (DEQ or Department) in enforcing the environmental requirements administered by DEQ. The policies and procedures of this Manual promote enforcement actions that are timely and appropriate, consistent and certain, and reasonable, fair and effective.

This Manual consists of eight chapters:

- Chapter One: Enforcement Policy
- Chapter Two: General Enforcement Procedures
- Chapter Three: Priority, Timeliness and Certainty of Enforcement Actions
- Chapter Four: Civil Charges and Penalties
- Chapter Five: Incentives for Identifying and Resolving Violations
- Chapter Six: Adversarial Administrative Actions
- Chapter Seven: Court Actions
- Chapter Eight: Inspection Warrants, Information Requests and Bankruptcy

This Manual is intended solely to guide DEQ staff and does not carry the force of law. It does not create any rights or benefits, procedural or substantive, in any person. If this Manual conflicts with the Commonwealth's statutes or regulations, the statute or regulation controls; therefore, DEQ may depart from this Manual when necessary to carry out statutory or regulatory intent.

DEQ staff should consult the DEQ Central Office Division of Enforcement (DE): (1) when procedures in this Manual appear to conflict with other Department procedures or with state or federal statutes and regulations; (2) when this Manual or the applicable regulation or statutory provision does not address a planned enforcement action; or (3) when a procedure or regulation is applied for the first time. Other inquiries about this Manual should also be directed to DE.